

Filed Doc #: 39-08202024-283  
08/20/2024 12:23:55 PM  
Steve J. Bestolarides  
San Joaquin County Clerk

**Lead Agency:**

Port of Stockton

2201 W Washington Street

Stockton, Ca 95203

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**DOCUMENT TITLE**

Notice of Determination - Negative Declaration - BayoTech Hydrogen  
Production and Dispensing Facility Project

# Notice of Determination

# Appendix D

**To:**

Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: San Joaquin  
 Address: 44 North San Joaquin Street #260  
Stockton, California 95202

**From:**

Public Agency: Port of Stockton  
 Address: 2201 W. Washington Street  
Stockton, CA 95203  
 Contact: Jason Cashman  
 Phone: 209-846-0246

Lead Agency (if different from above):  
 Address: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2023050692

Project Title: BayoTech Hydrogen Production and Dispensing Facility Project

Project Applicant: Port of Stockton

Project Location (include county): Navy Drive and West Washington Street, San Joaquin County

**Project Description:**

The proposed project is the development and operation of a hydrogen production and filling facility at the Port of Stockton. Under the proposed project, BayoTech, Inc. would develop and operate the hydrogen production and filling facility and produce and distribute hydrogen to customers throughout the region. The proposed project includes issuance of a new lease by the Port to BayoTech for the conversion of a vacant, approx. 5-acre parcel into a hydrogen-generation, compression, and storage facility to support

This is to advise that the Port of Stockton has approved the above  
 Lead Agency or  Responsible Agency)

described project on August 19, 2024 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Port of Stockton, 2201 W. Washington Street, Stockton, CA 95203

Signature (Public Agency):  Title: Environmental & Reg Affairs Mngr

Date: August 20, 2024 Date Received for filing at OPR: \_\_\_\_\_



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

|  |
|--|
| RECEIPT NUMBER:<br>39-08202024-283                       |
| STATE CLEARINGHOUSE NUMBER (If applicable)<br>2023050692 |

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

|                                 |                   |                    |
|---------------------------------|-------------------|--------------------|
| LEAD AGENCY<br>PORT OF STOCKTON | LEAD AGENCY EMAIL | DATE<br>08/20/2024 |
|---------------------------------|-------------------|--------------------|

|  |                                    |
|--|------------------------------------|
| COUNTY/STATE AGENCY OF FILING<br>SAN JOAQUIN | DOCUMENT NUMBER<br>39-08202024-283 |
|--|------------------------------------|

PROJECT TITLE  
BAYOTECH HYDROGEN PRODUCTION AND DISPENSING FACILITY PROJECT

|  |                         |                                |
|--|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME<br>PORT OF STOCKTON | PROJECT APPLICANT EMAIL | PHONE NUMBER<br>(209) 946-0246 |
|--|-------------------------|--------------------------------|

|   |                  |             |                   |
|---|------------------|-------------|-------------------|
| PROJECT APPLICANT ADDRESS<br>2201 W WASHINGTON ST | CITY<br>STOCKTON | STATE<br>CA | ZIP CODE<br>95203 |
|---|------------------|-------------|-------------------|

**PROJECT APPLICANT** (Check appropriate box)

Local Public Agency    
  School District    
  Other Special District    
  State Agency    
  Private Entity

**CHECK APPLICABLE FEES:**

- Environmental Impact Report (EIR) \$4,051.25 \$ \_\_\_\_\_
- Mitigated/Negative Declaration (MND)(ND) \$2,916.75 \$                     \$2,916.75
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,377.25 \$ \_\_\_\_\_
- Exempt from fee
  - Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ \_\_\_\_\_
- County documentary handling fee \$                     \$50.00
- Other \$ \_\_\_\_\_

**PAYMENT METHOD:**

Cash    
  Credit    
  Check    
  Other    
 TOTAL RECEIVED \$                     \$2,966.75

|   |  |
|---|--|
| SIGNATURE<br><b>X</b> <i>Samantha Landrum</i> | AGENCY OF FILING PRINTED NAME AND TITLE<br>Samantha E. Treat-Landrum ,Deputy |
|---|--|





State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

**Within 30 days after the end of each month in which the environmental filing fees are collected**, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090